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Public Utility Commission of Texas

Marlene H. Dortch - Secretary
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Universal Service Administrative Company
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November 16, 2005

RE: Federal-State Joint Board on Universal Service, CC Docket No. 96-45

TX PUC Project No. 25787 - FCC Letters Regarding ETC Designation Pursuant to FTA '96 §214(e) (2)

Docket No. 31738 - Application of RSA 1 Limited Partnership DBA XIT Wireless for Designation as an Eligible Telecommunications Carrier Pursuant to 47 U.S.C. 241(e) and P.U.C. Subst. R. 26.418

Docket No. 24481 - Designation of Common Carriers as Eligible Telecommunications Carrier to receive Federal Universal Funds Pursuant to the Federal Communications Commission's Fourteenth Report and Order Adopting A State Certification Process

Designation of Caprock Cellular Limited Partnership - ETC Designation Amendment

Pursuant to Section 214(e) (2) of the Communications Act of 1934, as amended (the "Act") and 47 C.F.R. sections 54.201 - 54.203, the Texas Public Utility Commission (TPUC) has granted eligible telecommunications carrier (ETC) designation to RSA 1 Limited Partnership DBA XIT Wireless (XIT Wireless) for the entire service area of XIT Rural Cooperative. The attached *Final Order*, Docket No. 31738, issued on November 14, 2005, grants the designation.



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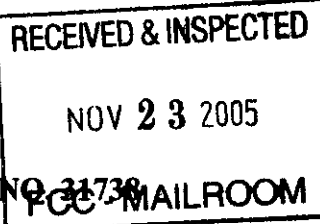
If you require any additional information please call Janis Ervin at (512)-936-7372.

Sincerely,

Janis Ervin - Senior Policy Specialist

Infrastructure Reliability Division - Texas Public Utility Commission

5/11/15



DOCKET NO. 21738

APPLICATION OF RSA 1 LIMITED
PARTNERSHIP D/B/A XIT WIRELESS
FOR DESIGNATION AS AN ELIGIBLE
TELECOMMUNICATIONS CARRIER
(ETC)

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PUBLIC UTILITY COMMISSION

OF TEXAS

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ORDER NO. 3
NOTICE OF APPROVAL FOR DESIGNATION AS
AN ELIGIBLE TELECOMMUNICATIONS CARRIER (ETC)

Procedural History

On September 23, 2005, RSA 1 Limited Partnership d/b/a XIT Wireless (XIT Wireless) filed an application for designation as an eligible telecommunications carrier (ETC) pursuant to 47 U.S.C. § 214(e) and P.U.C. SUBST. R. 26.418. XIT Wireless is a common carrier as defined by 47 U.S.C. §153(10) and provides Commercial Mobile Radio Services (CMRS). XIT Wireless does not possess a Certificate of Operating Authority or a Service Provider Certificate of Operating Authority.

XIT Wireless' initial application sought federal universal service support for the entire service area of XIT Rural Telephone Cooperative, Inc. (XIT Rural Coop) and for the exchanges of Boys Ranch, Cactus, Channing, Dalhart, Dumas, Hartley, Stratford, Sunray, and Vega served by Valor Telecommunications of Texas, L.P. (Valor). Valor and XIT Rural Coop are rural telephone companies. The areas requested are within XIT Wireless' Texas CMRS territory.

On October 12, 2005, XIT Wireless filed an additional *Affidavit of Darrell Dennis* as an amendment to its application. The *Affidavit* states that if granted ETC designation, XIT Wireless agrees to offer a service plan that will provide unlimited local usage, and that it will comply with any new or revised commission requirements adopted as a result of the Federal Communications Commission's (FCC) February 25, 2005, adoption of additional rules for ETC designees.

On November 1, 2005, XIT Wireless filed a letter amending its application to withdraw its request for ETC designation in the Valor exchanges.

On November 4, 2005, Commission Staff (Staff) filed a recommendation for approval of ETC status for XIT Wireless based on the following:

Designation as Eligible Telecommunications Carrier

To qualify for ETC status, a carrier must meet four conditions:¹

1. The carrier must be a common carrier, as that term is defined by the Federal Telecommunications Act of 1996 (FTA '96), Section 3(10).
2. The carrier must offer the following services (requisite services),² using its own facilities or a combination of its own facilities and the resale of another carrier's services:³
 - (a) voice grade access to the public switched network;
 - (b) local usage;
 - (c) dual tone multi frequency signaling or its functional equivalent;
 - (d) single party service or its functional equivalent;
 - (e) access to emergency services, including such services as 911 or enhanced 911;
 - (f) access to operator services;
 - (g) access to interexchange service;
 - (h) access to directory assistance; and
 - (i) toll limitation for qualifying low income customers.⁴
3. The carrier must advertise the availability of and charges for the requisite services in a media of general distribution.⁵
4. The carrier must provide Lifeline and Link Up support, and may not collect a deposit from a customer receiving such support if the customer also elects toll blocking.⁶

¹ 47 C.F.R. § 54.201(b)-(d) (2001).

² 47 C.F.R. § 54.101 (2001).

³ 47 C.F.R. § 54.201 (2001).

⁴ Pursuant to FTA § 54.400(d), the FCC defines "toll limitation" as either toll blocking or toll control for eligible telecommunications carriers that are incapable of providing both service.


⁵ *Id.*

⁶ 47 C.F.R. § 54.405 (2001).

ETC designation is **APPROVED** effective November 14, 2005. XIT Wireless is granted ETC status in the entire service area of XIT Rural Coop.

SIGNED AT AUSTIN, TEXAS the 14th day of November 2005.

PUBLIC UTILITY COMMISSION OF TEXAS


IRENE MONTELONGO
ADMINISTRATIVE LAW JUDGE

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